

## REMARKS

This is intended as a full and complete response to the Restriction Requirement dated October 15, 2002, having a shortened statutory period for response set to expire on November 15, 2002. Claims 1-30 are pending in the application and are subject to an election/restriction requirement. Claims 11 and 26 have been amended to delete "to provide a magnetic memory cell stack" from the respective preamble. New claims 31-45 have been added. The amendments and the new claims have been made in a good faith effort to advance the prosecution on the merits and to more clearly recite the novel features of the claimed invention. No new matter has been introduced by the amendments and the new claims presented herein. Claims 1-10 and 21-25 have been cancelled without prejudice. Applicants reserve the right to subsequently take up prosecution of the claims as originally filed in this application or in a continuation, a continuation-in-part and/or a divisional application. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-30 stand restricted under 35 U.S.C. 121 as follows:

- I. Claims 1-10 and 21-25: Method for forming a magnetic memory cell.
- II. Claims 11-20 and 26-30: Method for plasma etching in a plasma reactor to provide a magnetic memory cell stack.

The Examiner requires Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claims is finally held to be allowable. The Examiner takes the position that none of the pending claims is generic.

In response, Applicants provisionally elect claims 11-20 and 26-30 from Species II with traverse for consideration by the Examiner. Applicants further submit that the new claims fall under Species II and should therefore be prosecuted with claims 11-20 and 26-30.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

11. (Amended) A method for plasma etching in a plasma reactor [to provide a magnetic memory cell stack], comprising:

positioning a work piece in the plasma reactor, the work piece including at least one magnetic material layer selected from NiFe, CoFe, NiFeCo, and Ru;

flowing a plasma source material into the plasma reactor, the plasma source material including HCl;

generating a plasma from the plasma source material; and

exposing the work piece to the plasma to etch the at least one magnetic material layer.

26. (Amended) A method for plasma etching in a plasma reactor [to provide a magnetic memory cell stack], comprising:

positioning a work piece in the plasma reactor, the work piece including an anti-magnetic material layer selected from PtMn and IrMn;

flowing a plasma source material into the plasma reactor, the plasma source material including HCl;

generating a plasma from the plasma source material; and

exposing the work piece to the plasma to etch the anti-magnetic material layer.